

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

**WHEELOCK, INC.,**

§

**Plaintiff,**

§

**vs.**

**C.A. NO. 2:05CV454 – DF**

**SIEMENS BUILDING  
TECHNOLOGIES, INC. (d/b/a  
FARADAY)**

§

**JURY**

**Defendant.**

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**AGREED STIPULATION TO EXTEND DEADLINES**

Plaintiff, Wheelock, Inc., (“Wheelock”) and Defendant, Siemens Building Technologies, Inc. (“Siemens”) hereby file this agreed stipulation to extend certain deadlines set forth in the Scheduling Order filed on February 3, 2006. The parties are actively engaged in settlement negotiations. In light of these negotiations, the parties have agreed to the extension of deadlines as set forth below.

<b>Action</b>	<b>Current Date</b>	<b>Proposed Date</b>
Siemens’ Responses to Plaintiff’s First Set of Document Requests (Nos. 1-15)	05/15/06	06/01/06
P.R. 3-3 and 3-4 Disclosure	05/15/06	06/01/06
Exchange of proposed terms and claim elements for construction	05/15/06	06/01/06
Siemens’ Answer to Plaintiff’s First Set of Interrogatories (Nos. 1-14)	05/15/06	06/01/06
Siemens’ Responses to Plaintiff’s Second Set of Document Requests (Nos. 16-89)	05/15/06	06/01/06
Meet and Confer to Discuss List of Proposed Terms and Claim Elements for Construction	05/19/06	06/09/06
Exchange Preliminary Claim Construction and Extrinsic Evidence	05/30/06	06/19/06
Meet and Confer to Discuss Preliminary Claim Constructions and Extrinsic Evidence	06/02/06	06/30/06

Action	Current Date	Proposed Date
Deadline for Parties to File Amended Pleadings	06/16/06	07/14/06
File Joint Claim Construction and Pre-hearing Statement	06/16/06	07/14/06
Completion of Claim Construction Discovery	07/17/06	08/14/06
Plaintiff's Deadline to File Opening Claim Construction Brief	07/31/06	08/28/06
Defendant's Deadline to File Response Brief on Claim Construction	08/14/06	09/11/06
Plaintiff's Deadline to File Reply Brief on Claim Construction	08/23/06	09/20/06
Claim Construction Hearing	09/06/06	10/04/06, or other date set by the Court

In exchange for the agreement to extend these deadlines, Siemens agrees to provide responsive documents and answers to outstanding written discovery by June 1, 2006.

Dated: May 22, 2006

Respectfully submitted,

/s/ Michael G. Carroll by permission  
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COUNSEL FOR DEFENDANT  
SIEMENS BUILDING TECHNOLOGIES,  
INC., (D/B/A FARADAY)

**CERTIFICATE OF CONFERENCE**

The undersigned hereby certifies that counsel for Defendant, Siemens Building Technologies, Inc., ("Siemens") on this the 22<sup>nd</sup> day of May, 2006, conferred with counsel for Plaintiff, Wheelock, Inc., and Plaintiff agreed.

/s/ Robert M. Chiaviello, Jr.

Robert M. Chiaviello, Jr.

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the Agreed Stipulation was served upon all counsel of record in compliance with the Federal Rules of Civil Procedure and the Local Rules for the Eastern District of Texas on the 22<sup>nd</sup> day of May, 2006.

/s/ Robert M. Chiaviello, Jr.

Robert M. Chiaviello, Jr.